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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/708,971	04/05/2004	Paul F. McMahan	014682-000005	2970
44870 7590 02/09/2007 MOORE & VAN ALLEN, PLLC For IBM P.O. Box 13706 Research Triangle Park, NC 27709			EXAMINER MINOR, CHERISSE K	
			ART UNIT	PAPER NUMBER
			2174	
SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE		
3 MONTHS	02/09/2007	PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/708,971	<b>Applicant(s)</b> MCMAHAN ET AL.	
	<b>Examiner</b> Cherisse K. Minor	<b>Art Unit</b> 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 April 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-48 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>06/24/04 and 06/28/04</u> <i>CKM</i> | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 17 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 17 recites "transferring a detached portlet from *the window*". There is insufficient antecedent basis for this limitation. There is no recitation of a window prior to this claim based on the claim dependency.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-4, 19-20, 24-27, 33, 35-36, and 41 are rejected under 35 U.S.C. 102(e) as being anticipated by Qian et al. ("Qian" US 2003/0145275).

As per claim 1, Qian teaches a portal comprising:

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- at least one detachable portlet (Figure 1—*portlet* 32; Paragraph 0041)
- a detach feature associated with the at least one detachable portlet (Figure 1—*detach feature* 34) .

As per claim 2, Qian teaches that the detach feature comprises an icon (Figure 1—*detach icon* 34) to transfer the at least one detachable portlet to an independently managed window in response to the icon being activated (Paragraph 0041).

Claim 3 is similar in scope to claim 2, and is therefore rejected under similar rationale.

Claim 4 is similar in scope to claim 2, and is therefore rejected under similar rationale.

Claim 19 is similar in scope to the combination of claims 1 and 3, and is therefore rejected under similar rationale.

Claim 20 is similar in scope to claim 4, and is therefore rejected under similar rationale.

Claim 24 is similar in scope to claim 1, and is therefore rejected under similar rationale.

Claims 25-26 are similar in scope to claim 3, and are therefore rejected under similar rationale.

Claim 27 is similar in scope to claim 4, and is therefore rejected under similar rationale.

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As per claim 33, in addition to limitations described in the above rejection of claim 1, Qian teaches a system comprising a portal server (Figure 2—*server 202*; Paragraph 0033).

Claim 35 is similar in scope to claim 3, and is therefore rejected under similar rationale.

Claim 36 is similar in scope to claim 4, and is therefore rejected under similar rationale.

As per claim 41, Qian teaches a system comprising a page aggregation element to organize and present the at least one portlet to a user on the associated portal (Paragraph 0033—*default skin, cascading style sheet, and directory of images*). These features embody a page aggregation element as is described in the applicant's Figure 4.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 5, 7-8, 10-15, 18, 21, 23, 28-29, 31-32, 34, 37-38, 42-45, and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Qian et al. ("Qian" US 2003/0145275) in view of Shahrababaki et al. ("Shahrababaki" US 2004/0113948).

As per claim 5, Qian teaches all of the limitations of claim 3 above, but fails to teach a placeholder representing the detached portlet/window. Shahrabaki teaches a windowed environment comprising a placeholder (*tab-head*) formed to represent the detached window (*tab*) (Paragraph 0021). A portlet is a window that manages its own graphical user interface (Qian—Paragraph 0012); therefore the limitations taught by Shahrabaki are applicable to those claimed by the applicant.

It would have been obvious to an artisan at the time of the invention to include a placeholder in the portal as taught by Qian in order to maintain a level of consistency for the placement of the portlets; thus creating a more simple and intuitive interface for the portal user.

As per claim 7, Shahrabaki teaches a communication tunnel formable between the placeholder and the detached portlet/window (Paragraph 0021).

As per claim 8, Shahrabaki teaches that the detached portlet/window comprises a reattach feature to reattach the detached portlet/window in response to activating the reattach feature (Figure 3—*attach button 320*, Paragraphs 0035 and 0023).

Claim 10 is similar scope to claim 7, and is therefore rejected under similar rationale. The placeholder is a component of the portal/window environment; therefore there is tunneling communication between the portal/window environment and any detached portlets/windows.

Claims 11 and 42 are similar in scope to the combination of claims 1 and 8, and are therefore rejected under similar rationale.

Claims 12, 14, and 43 are similar in scope to claim 2, and are therefore rejected under similar rationale.

Claims 13 and 44 are similar in scope to claim 4, and are therefore rejected under similar rationale.

Claims 15, 29, 38, and 45 are similar in scope to claim 5, and are therefore rejected under similar rationale.

Claims 18, 31-32, 37, and 48 are similar in scope to claim 10, and are therefore rejected under similar rationale.

Claim 21 is similar in scope to claim 5, and is therefore rejected under similar rationale.

Claims 23, 28, and 34 are similar in scope to claim 8, and are therefore rejected under similar rationale.

7. Claims 6, 9, 16-17, 22, 30, 39, and 46-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Qian et al. ("Qian" US 2003/0145275) in view of Shahrababaki et al. ("Shahrababaki" US 2004/0113948) and further in view of Becker et al. ("Becker" US 6,981,223).

As per claim 6, Qian and Shahrababaki fail to teach that the placeholder comprises a reattach feature. Becker teaches a multiple messaging window management system wherein the portal (*main window*) comprises a reattach feature (Figure 13—Dock Option 1204) to reattach (dock) the detached portlet (*window pane*) to the portal in response to activating the reattach feature (Figure 13, Column 19, lines 55-57).



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It would have been obvious to a skilled artisan at the time of the invention to combine Becker's teaching with the method of Qian and Shahrababaki to give the user an additional option for reattaching the detached portlet, which would be beneficial in an instance where the detached portlet is hidden.

Claim 9 is similar in scope to the combination of claims 5-6 and 8, and is therefore rejected under similar rationale.

Claims 16-17, 22, 30, 39, and 46-47 are similar in scope to the combination of claims 6 and 8, and are therefore rejected under similar rationale.

8. Claim 40 is rejected under 35 U.S.C. 103(a) as being unpatentable over Qian et al. ("Qian" US 2003/0145275) in view of Fischer et al. ("Fischer" US 2003/0188163).

As per claim 40, Qian teaches all of the limitations of claim 33 above, but fails to teach that the portlets are contained in a portlet container. Fischer teaches a portal control system for invoking portlets that comprises a portlet container (Figure 6—*portlet container 60*) to contain the at least one portlet on the portal server (Paragraph 0003).

It would have been obvious to a skilled artisan at the time of the invention to cause portlets as taught by Qian to run in a portlet container in order to provide a common interface to all executable portals.



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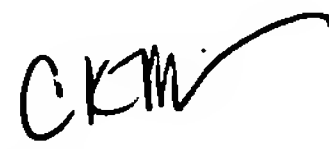
**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cherisse K. Minor whose telephone number is 571-270-1287. The examiner can normally be reached on Monday-Friday 7:00-4:30 (Alternating Fridays Off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Cherisse K Minor  
Examiner  
Art Unit 2174

CKM   
01/30/07

  
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